



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

HERDIS JACKSON SR.,	§	No. 08-22-00075-CV
	§	
Appellant,	§	Appeal from the
	§	
v.	§	98th District Court
	§	
THE STATE OF TEXAS for the	§	of Travis County, Texas ¹
Protection of Versie Lavelle Griffin,	§	
	§	(TC# D-1-FM-21-005293)
Appellee.	§	

MEMORANDUM OPINION

Appellant Herdis Jackson Sr., proceeding pro se, filed a notice of appeal on March 23, 2022, attempting to appeal the trial court’s final judgment entered on November 18, 2021. Because we were concerned that we lacked jurisdiction to entertain this appeal, we sent Appellant a letter on May 2, 2022, stating that it appeared that he had failed to timely file his notice of appeal. *See* TEX.R.APP.P. 26.1. We also informed Appellant that unless he responded within ten days and showed grounds for continuing the appeal, this appeal would be dismissed for want of jurisdiction. *See* TEX.R.APP.P. 10.5(b), 26.3(b), 42.3(a). On May 24, Appellant submitted a handwritten note where he requested an extension and the appointment of counsel, but he did not address the

¹ We hear this case on transfer from the Third Court of Appeals. *See* TEX.R.APP.P. 41.3

untimely filing of his notice of appeal.

A timely notice of appeal is essential to invoking this court's jurisdiction. *See* TEX.R.APP.P. 25.1(b), 26.1. The trial court's judgment was signed on November 18, 2021, and no post-judgment motion was filed to extend the appellate deadline. *See* TEX.R.APP.P. 26.1(a). Thus, Appellant's notice of appeal was due December 18, 2021, but was not filed until March 23, 2022. *See* TEX.R.APP.P. 26.1. The record shows that Appellant's notice of appeal was untimely and that he has failed to file a response showing grounds for continuing the appeal. As such, we are unable to consider Appellant's request for an extension because the time-period for filing an extension has passed. Additionally, we do not have authority to appoint counsel to Appellant and even if we did, the appointment would not cure the jurisdictional problem. Accordingly, we dismiss this appeal. *See* TEX.R.APP.P. 26.1, 42.3(a), (c), 43.2(f).

May 27, 2022

YVONNE T. RODRIGUEZ, Chief Justice

Before Rodriguez, C.J., Palafox, and Alley, JJ.